

JAP:DAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M 11-329

- - - - -X

UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(21 U.S.C. §§ 952(a)
and 960)

XIOMARA YOSELYN ORTEGA,

Defendant.

- - - - -X
EASTERN DISTRICT OF NEW YORK, SS:

ANDREW KAPPAUF, being duly sworn, deposes and states that he is a Special Agent of the United States Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

Upon information and belief, on or about March 30, 2011, within the Eastern District of New York and elsewhere, defendant XIOMARA YOSELYN ORTEGA did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:¹

1. On or about March 30, 2011, the defendant XIOMARA YOSELYN ORTEGA arrived at John F. Kennedy International Airport ("J.F.K. Airport") in Queens, New York, aboard Jet Blue Flight No. 836 from Santiago, Dominican Republic.

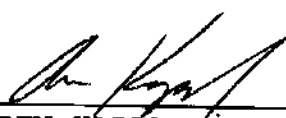
2. The defendant XIOMARA YOSELYN ORTEGA was selected for a Customs and Border Protection ("CBP") examination. The defendant presented for inspection two "Timberland" bags. The defendant claimed ownership of the bags and their contents.

3. During an inspection of the defendant's bags, a CBP officer observed that the sides and bottom of both bags felt unusually thick. Further examination revealed that the sides and bottom of the bags contained a white powdery substance, which field-tested positive for the presence of cocaine.

4. The total approximate gross weight of the cocaine found in the defendant XIOMARA YOSELYN ORTEGA's bags is 4,544.4 grams.

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause, I have not described all the relevant facts and circumstances of which I am aware.

WHEREFORE, your deponent respectfully requests that defendant XIOMARA YOSELYN ORTEGA be dealt with according to law.



ANDREW KAPPAUF
Special Agent
U.S. Department of Homeland Security
Homeland Security Investigations

Sworn to before me this
31st day of March 2011

UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK